

REMARKS

Reconsideration and withdrawal of the rejection of all the claims now in the application (i.e., claims 1-20) is respectfully requested in view of the foregoing amendments and the following remarks.

Initially, the Examiner responded to the previous arguments made in the response to the Official Action filed on June 26, 2006. The Examiner apparently considers that the bore holes 36 passing through the part 30 to form the claimed recess. Part 30 obviously has an outer surface which is curved and does not form recesses as claimed. This is merely a side view of a straight bore going through a curved surface. These recesses are not shown in FIGS. 3 or 4 since what is shown in FIG. 1 is a side view of a bore hole through a curved surface which has edges at a different location on the circumference of the curved surface so that it gives the illusion of a recess. Consequently, there is no recess around the bore hole. In any event, even if such a recess were to exist, it would not contact the bore hole sleeve 38 which merely engages the bore through element 30. In addition, part 30 is moved only in the axial direction of the axis of sleeve 38 and as clearly shown in FIG. 4, could not be moved in a direction perpendicular to the central axis of holes 36A therein with the sleeve inserted.

The Examiner then goes on to reject the claims as being either anticipated by or obvious over *Simon*, U.S. Patent No. 6,039,739. The Examiner states "the limitations of claim 1 and its dependents are comprised entirely of functional language." The Applicant respectfully disagrees. While the claims may contain some functional language, they are replete with structural features such as, for example, an aiming arm with a first portion, the aiming arm having at least one transverse bore extending along an axis, a guiding sleeve, at

least one slot in the aiming arm intersecting the bore, a bias lever, and an outer surface of the sleeve.

With regard to *Simon*, U.S. Patent No. 6,039,739 this targeting device obviously functions in a different manner and is composed of a different structure than the claimed invention. Clearly it is not possible to hold two separate guiding sleeves independent of one another within the aiming arm first portion. Obviously the release of one of *Simon's* sleeves would result in the other sleeve also being released. In addition, the lever arm moves in a direction opposite that claimed in the claims of the present application.

Applicant has amended the claims to add structural elements to better distinguish over this reference. For example, in claim 1, the lever is now claimed to be mounted within the slot and the recess in the lever has an open portion tilted in a direction generally perpendicular to the axis of the sleeve so that the lever can be selectively moved against the action of the biasing means in a plane perpendicular to the axis of the sleeve and out of engagement with an outer surface of the sleeve. This clearly distinguishes over *Simon* where the arm 30 moves in the axial direction and where slot 34 is and must remain empty for the device to function. If a biasing lever when inserted into the slot 34 of *Simon*, then the moveable part 30 would not be able to be deflected towards stationary part 28. Independent claim 9 has been amended to require the means for holding the sleeve be mounted in a slot in the first arm portion and be selectively moveable for independently engaging and holding the sleeve in each aiming arm bore with a means allowing the selective independent release of each sleeve by movement of the means in a direction generally perpendicular to the sleeve bore axis. Claim 13 has been amended in a similar manner. Note with regard to claim 13, the claim now positively recites first

and second moveable independent locking elements which distinguish over the single locking element of *Simon*.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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